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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,481	08/15/2003	Chih - Ching Hsien	PUSA030714	5999
7590	10/20/2004		EXAMINER	MEISLIN, DEBRA S
Chih - Ching Hsien 58, MA YUAN WEST ST. TAICHUNG, TAIWAN			ART UNIT	PAPER NUMBER
			3723	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/643,481	HSIEN, CHIH - CHING
	Examiner	Art Unit
	Debra S Meislin	3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-11 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. ____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: ____.

1. Claims 1-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification and claims define "L" as the distance between the corner of each recess and an adjacent recess. The drawings define "L" as the distance between the corners a recess. Consequently, it is not clear as to where the distance "L" lies. Additionally, since the corners of the recesses are curved, it is not clear as to beginning and ending points of the distance "L".

It is not clear as to how an increased depth "T" provides a larger contact area. It would appear that the contact area would depend upon the radius of curvature of the protruding faces (24).

2. The disclosure is objected to because of the following informalities: on page 7, line 22, "7" should be --56--.

Appropriate correction is required.

3. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 6, the receiving recesses have a smaller arc-shaped corner than what element(s)?

In claim 6, line 2, the protruding faces have a larger arc-shape than what element(s)?

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grimm et al (3354757) in view of Chow (5295422).

Grimm et al discloses all of the claimed subject matter except for having outward recesses, an outer wall formed with the recesses and an inner through hole, and a lower hexagonal socket. Chow discloses outward recesses, an outer wall formed with the recesses and an inner hole, and a lower socket. It would have been obvious to one having ordinary skill in the art to form the device of Grimm et al with recesses that are outward, an outer wall formed with the recesses and an inner hole, and a lower socket to allow for the engagement of a socket type wrench as taught by Chow.

The examiner takes Official Notice that the use of through sockets and an hexagonal opening at the lower end of the socket are notoriously old and well known in the art of socket wrenches. Consequently, to form the device of Grimm et al as modified by Chow with a hexagonal opening and/or a through opening would have been obvious to one having ordinary skill in the art for engaging hexagonal workpieces and to allow for extended workpieces to extend through the socket.

6. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chow (5295422) in view of Grimm et al (3354757).

Chow discloses all of the claimed subject matter except for having arcuate corners, an inner through hole, and a lower hexagonal socket. Grimm et al discloses recesses having arcuate corners, col. 6, lines 65-68. It would have been obvious to one having ordinary skill in the art to form the recesses of Chow with arcuate corners to prevent breakage as taught by Grimm et al.

The examiner takes Official Notice that the use of through sockets and an hexagonal opening at the lower end of the socket are notoriously old and well known in the art of socket wrenches. Consequently, to form the device of Chow with a hexagonal opening and/or a through opening would have been obvious to one having ordinary skill in the art for engaging hexagonal workpieces and to allow for extended workpieces to extend through the socket.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra S Meislin whose telephone number is 703 308-3671. The examiner can normally be reached on M-F, alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 703 308-2687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Debra S Meislin  
Primary Examiner  
Art Unit 3723

October 15, 2004